

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

March 26, 2024
LAURA A. AUSTIN, CLERK
BY:
/s/T. Taylor
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JESSE RYAN STILTNER,)
)
Plaintiff,) Case No. 7:24CV00130
)
)
v.) **OPINION**
)
)
PATRISHA MCCOY, ET AL.,) JUDGE JAMES P. JONES
)
Defendants.)
)

Jesse Ryan Stiltner, Pro Se Plaintiff.

This plaintiff, Jesse Ryan Stiltner, proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983, alleging that local jail officials violated his right to due process related to a drug test and unjustly confined him in segregated confinement. The court entered an Order conditionally filing the case and directing Stiltner to return certain financial information as required for him to proceed without prepaying the filing costs. The copy of this Order that the court mailed to Stiltner at the address he provided was returned to the court as undeliverable. The returned envelope indicated that authorities were unable to forward the mailing. It is self-evident that the court must have a viable address by which to communicate reliably with Stiltner about this case.

Based on Stiltner's failure to update the court with a current mailing address that would allow reliable communication about his case, I conclude that he is no longer interested in pursuing this civil action. Therefore, I will dismiss the action without prejudice for failure to prosecute. *See Ballard v. Carlson*, 882 F.2d 93, 96 (4th Cir. 1989) (stating pro se litigants are subject to time requirements and respect for court orders and dismissal is an appropriate sanction for non-compliance); *Donnelly v. Johns-Manville Sales Corp.*, 677 F.2d 339, 340-41 (3d Cir. 1982) (recognizing a district court may sua sponte dismiss an action pursuant to Fed. R. Civ. P. 41(b)).

An appropriate Order will issue herewith.

DATED: March 26, 2024

/s/ JAMES P. JONES
Senior United States District Judge